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2009 MAY 27 P 3:12

DISTRICT OF UTAH

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,	:	Case No.: 2:08 CR 061 DAK
	:	
Plaintiff,	:	S E A L E D
	:	
vs.	:	SUPERSEDING INDICTMENT
	:	
HAROLD J. LYMAN,	:	VIO. 16 U.S.C. § 470ee, 18 U.S.C. §
	:	641
Defendant.	:	TRAFFICKING IN STOLEN
	:	ARTIFACTS, THEFT OF
	:	GOVERNMENT PROPERTY,
	:	FORFEITURE

The Grand Jury charges:

COUNT 1

On or about June 14, 2007, in the Central Division of the District of Utah, the defendant

HAROLD J. LYMAN

did knowingly sell and offer to sell an archaeological resource, to wit: a prehistoric, elongated conical pipe, which was excavated or removed from public lands in violation of Federal law, which resource was valued in excess of \$500, all in violation of 16 U.S.C. §§ 470ee.

COUNT 2

On or about June 14, 2007, in the Central Division of the District of Utah, the defendant

HAROLD J. LYMAN
defendant herein, did embezzle, steal, purloin and knowingly convert to his own use and without authority did sell property of the United States with a value of more than \$1,000, to wit: an elongated, conical pipe bowl belonging to the United States, all in violation of 18 U.S.C. §§ 641.

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses alleged in Counts 1 and 2 of this Indictment, the Defendant shall forfeit to the United States pursuant to 16 U.S.C. §470gg(b) all archaeological resources with respect to which a violation of 16 U.S.C. § 470ee(b) occurred and all vehicles and equipment of any person which were used in any manner or part to commit and facilitate the commission of such offense.

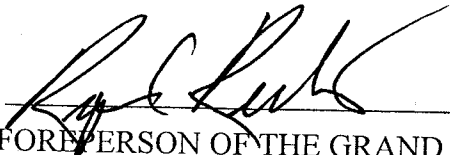
The defendant shall also forfeit to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C), 1956(c)(7)(D) and 28 U.S.C. § 2461 any property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 641.

If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without


difficulty, the United States of America shall be entitled to forfeiture of substitute property pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b)(1) and 28 U.S.C. § 2461(c).

A TRUE BILL:



FOREPERSON OF THE GRAND JURY

BRETT L. TOLMAN
United States Attorney



RICHARD D. McKELVIE
CARLIE CHRISTENSEN
Assistant United States Attorneys